



CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date below:

May 2, 2003
Date

Paula S. Richard
Signature

#4
BP
5-9-03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mark L. CHIVERS

Serial No.: 09/939,921

Filed: August 27, 2001

For: CLARIFICATION OF PROTEIN
PRECIPITATE SUSPENSIONS USING
ANIONIC POLYMERIC FLOCCULANTS

Confirmation No.: 5294

Group Art Unit: 1631

Examiner: BORIN, M.L.

Atty. Dkt. No.: 11916.0042.DVUS01
MOPV042--1

RECEIVED

MAY 08 2003

TECH CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT DATED APRIL 21, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated April 21, 2003 for which the date for response is May 21, 2003.

It is believed that no fee is due; however, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11916.0042.DVUS01.

In the Restriction Requirement, the Examiner required that Applicant elect one of the following inventions:

Group I: Claims 1-35, drawn to a method for preparing an aqueous somatotropin suspension.

Group II: Claims 36-52, drawn to somatotropin suspensions.

Applicant notes that this restriction requirement is moot. Claims 1 to 35 were cancelled in the preliminary amendment, filed August 27, 2002 (for the Examiner's convenience, a copy of the preliminary amendment and the return postcard corresponding therewith is enclosed). Claims 1-35 were prosecuted in the "parent" of the instant application. Consequently, only claims 36-52 are currently pending in the instant application.

Notwithstanding the foregoing, in order to be in strict compliance with 37 C.F.R. § 1.143), in response to the restriction requirement which the Examiner imposed, Applicant elects, without traverse, to prosecute claims 36-52, *i.e.*, the Group II claims.

The Examiner is invited to contact the undersigned patent agent at (713) 787-1589 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Matthew L. Madsen
Reg. No. 45,594
Patent Agent for Assignee
MONSANTO TECHNOLOGY LLC

HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

Date: May 3, 2003